



Weekly Summary of Cases

National Labor Relations Board

Week of June 1-4, 2010, W-3263

The *Weekly Summary* is provided for informational purposes only and is not intended to substitute for the opinions of the NLRB. Inquiries should be directed to the Office of Public Affairs at Publicinfo@nrlb.gov or 202-273-1991.

Summarized Board Decision

St. Barnabas Hospital (2-RC-23356; 355 NLRB No. 39) Bronx, NY, June 4, 2010. [[HTML](#)] [[PDF](#)]

The Board denied the Employer's request for review of the Regional Director's decision directing an election among the Employer's interns, residents and fellows, or house staff, at its hospital in New York. It was found that the Employer had not met the stringent requirements governing a grant of review, because the Board had held in *Boston Medical Center*, 330 NLRB 152 (1999) that medical interns and residents are statutory employees with a right to organize. The Board rejected the Employer's claim that it should have considered the applicability of *Brown University*, 342 NLRB 483 (2004), which found that university teaching assistants are not statutory employees with collective bargaining rights under the Act. It was noted that *Boston Medical Center* remains the law and that *Brown's* reasoning had not been extended to cases involving medical house staff. Member Schaumber dissenting would have granted review to consider the applicability of *Brown University*.

Petitioner – Committee of Interns and Residents, Local 1957, SEIU. Chairman Liebman and Members Schaumber and Becker participated.

Unpublished Board Decisions in Representation Cases

GModelo Agriculture, LLC (27-RC-8572) Idaho Falls, ID, June 1, 2010. Order granting Employer's motion to accept late-filing of exceptions and denying Petitioner's motion to reject late-filing of exceptions. Petitioner – International Brotherhood of Electrical Workers, Local 449.

Aramark Uniform & Career Apparel, LLC (18-RD-2692) Fridley, MN, June 3, 2010. Order denying Petitioner's request for special permission to appeal. Petitioner – an Individual.

Decision of Administrative Law Judge

Cardi Corporation (1-CA-43892; JD-31-10) Warwick, RI. Petitioner – New England Regional Council of Carpenters, Local 94 a/w United Brotherhood of Carpenters and Joiners of America. Administrative Law Judge Paul Buxbaum issued his supplemental decision June 4, 2010.

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